



ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Eisermann, et al.

Serial No.: 10/773,814

Filed: February 6, 2004

For: Articular Disc Prosthesis for Transforaminal
Insertion

§ Attorney Docket No. 31132.42 / PC809.01
§
§ Customer No. 27683
§
§ Group Art Unit: 3738
§
§ Examiner: Unknown
§
§

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 C.F.R. §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed information are also enclosed. The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the ISA/EP on PCT/US2004/004351, the PCT counterpart of the present application. A copy of the search report is enclosed.

This Information Disclosure Statement is being filed within three months of the United States filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required (37 CFR §1.97(b)).

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

David M. O'Dell
Registration No. 42,044

Date: 9-14-04
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972 739-8635
Facsimile: 214-200-0853
File: 31132.42

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 15, 2004.

Bonnie Boyle
Printed Name

Bonnie Boyle
Signature

